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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: CR 22-0146 EJD
Plaintiff,)	
v.)	APPLICATION OF THE UNITED STATES FOR
)	FINAL ORDER OF FORFEITURE
MARK DEHART,)	
Defendant.)	

On September 1, 2023, this Court entered, upon application of the government, a Preliminary Order of Forfeiture forfeiting the following property as to Mark Dehart, pursuant to Title 18, United States Code, Section 924(d), Title 28, United States Code, Section 2461(c), and Title 26, United States Code, Section 5872(a), and the procedures outlined in Rule 32.2 of the Federal Rules of Criminal Procedure:

- a. Two rounds of .22 caliber ammunition (one live and one expended), both manufactured by Federal Cartridge Company (Anoka, MN)
- b. A privately made short-barreled rifle, chambered for 5.56x45mm ammunition with folding stock adapter, telescoping stock, muzzle device and flashlight, with no serial number, and a barrel length of 8 5/8 inches

- c. A Polymer80 .22 caliber pistol, privately made firearm with no serial number, loaded with (9) .22 caliber rounds
- d. An AR style of 5.56 caliber rifle, privately made firearm with no serial number with a barrel length of approximately 16 inches
- e. Four (4) firearms silencers, all which lacked serial or registration numbers, specifically described as:
 - i. One metal cylindrical device, black in color, approximately 6.06 inches in length, and approximately 1.45 at its major diameter, wrapped in a black electrical-type tape material
 - ii. One modified engine oil filter, approximately 8 inches in length, and approximately 3.81 inches at its major diameter
 - iii. One modified camp fuel-type, 16-ounce propane tank, black in color, wrapped in a blue micro-fiber-type cloth, approximately 7.75 inches in length, and approximately 3.87 inches at its major diameter
 - iv. One modified Bernzomatic-type, 14-ounce propane tanks, approximately 18.75 inches in length, and approximately 2.92 inches at its major diameter
- f. Two (2) machinegun conversion device commonly referred to as a Glock Switches
- g. All firearm parts found on or about June 29, 2021, at the Wainwright or De La Cruz addresses as described in Santa Clara Police Department Report No. 21-629112, including but not limited to lower or upper receivers, buffer tubes, pistol conversion kits, flare guns, jigs, barrels, optics/sights, and ammunition magazines
- h. All ammunition (regardless of caliber) found on or about June 29, 2021, at the Wainwright or De La Cruz addresses as described in Santa Clara Police Department Report No. 21-629112. Dkt. 77.

The Preliminary Order required the United States to publish notice of the Order. *Id.* Beginning on September 5, 2023, the United States published for 30 days on the government website www.forfeiture.gov a notice of this forfeiture action, the Order, and the government's intent to dispose of the property in accordance with the law.

1 Dkt. 81.

2 The notice advised potential third parties of their right to petition the Court within 30 days for a
3 hearing to adjudicate the validity of their legal interest in the property. *Id.*, Attachment 1.

4 No petitions have been filed.

5 The United States therefore respectfully requests that the Court enter the accompanying proposed
6 Final Order of Forfeiture directing that the property described above be forfeited to the United States,
7 pursuant to Title 18, United States Code, Section 924(d), Title 28, United States Code, Section 2461(c),
8 and Title 26, United States Code, Section 5872(a), and the procedures outlined in Rule 32.2 of the
9 Federal Rules of Criminal Procedure.

10 Dated: 11/8/2023

Respectfully submitted,

11 ISMAIL J. RAMSEY
12 United States Attorney

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14 /S/
15 GALEN A. PHILLIPS
16 Assistant United States Attorney
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